

NINTH SIDE LETTER AMENDMENT TO THE  
MEMORANDUM OF UNDERSTANDING  
BETWEEN THE CITY OF SANTA ANA AND  
THE SANTA ANA FIREMEN'S BENEVOLENT ASSOCIATION  
FOR FISCAL YEARS 2004-14

The purpose of this Side Letter is to amend Article X (Holidays) and to correct Article XI (Vacation) regarding the cash out of holidays and longevity vacation, respectively.

Article X, Section 10.5 (Holidays - Cash Option) shall be amended as follows (new language is *bold italics*; deleted language is stricken out):

A maximum of one (1) year of accrued Holiday leave time hours may be carried over from one calendar year to the next.

Effective July 1, 2010, *suppression* employees choosing to cash out their holiday time may do so to a maximum of 144 hours per year. During the term of this Agreement such limit on yearly cash out shall not affect an employee's ability to be compensated for the accumulated holiday leave time upon separation from employment with the City, not to exceed a maximum of 216 hours. *Non-suppression employees choosing to cash out their holiday time may do so to a maximum of 128 hours per year. During the term of this Agreement such limit on yearly cash out shall not affect an employee's ability to be compensated for the accumulated holiday leave time upon separation from employment with the City, not to exceed a maximum of 192 hours.*

Article XI, Section 11.3 (Longevity Vacation) shall be amended as follows (new language in *bold italics*; deleted language is stricken out):

D. All employees covered by this Agreement shall be given an option, twice per calendar year, concurrent with the holiday cash out option, to receive cash compensation on a straight time basis in lieu of all or part of their longevity vacation leave benefits set forth in Subsection A above.

Such option may be eliminated or modified at the discretion of the Fire Department or to the extent it is construed as overtime under Department of Labor guidelines implementing provision of the Fair Labor Standards Act (FLSA).

Effective July 1, 2009, all employees covered by this Agreement shall defer for the duration of Fiscal Years 2009-10, 2010-11, and 2011-12 an employee's ability to cash out longevity vacation leave time. The ability to cash out longevity vacation leave time shall be re-instated July 1, 2012. This deferral shall not affect an employee's ability to be compensated for ~~the~~ *all* accumulated longevity vacation leave time upon separation from employment with the City.

~~Effective July 1, 2010, employees choosing to cash out their longevity vacation may do so to a maximum value of 1.33 x 120 hours or of 160 hours per year. This cap on annual cash-out of longevity vacation shall not affect an employee's ability to be compensated for all accumulated longevity vacation leave time upon separation from employment with the City.~~



Kathie Gonzalez  
Executive Director - Personnel Services  
City of Santa Ana



Chris Roelle  
President  
Firemen's Benevolent Association

7/21/11

Date

JULY 21, 2011

Date